

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
DOCKET No. SUCV2004-02264

ABRAHAM PHILIP, M.D.
Plaintiff,

v.

DR. RICHARD EVANS M.D., in his official and
personal capacity, EDWARD FLYNN, in his
personal and official capacity, and THE
COMMONWEALTH OF MASSACHUSETTS
Defendants.

FURTHER ANSWERS OF DEFENDANT DR. RICHARD EVANS MD TO PLAINTIFF'S
INTERROGATORIES

INTERROGATORY #9

Please state the date and the time when you first learned, read, heard, or were otherwise informed that Dr. Philip wrote to the Governor of the Commonwealth on March 1, 2004 regarding any matter pertaining to the OCME, stating the manner in which you first learned, read, or heard that such communication had taken place and the name of the person from whom you first received such information.

ANSWER #9

On March 1, 2004 Attorney Elaine Whitfield Sharp sent a copy of a letter addressed to Governor Mitt Romney to John Cronin via facsimile. Mr. Cronin informed me of the existence of this letter shortly after he received it.

FURTHER ANSWER #9

On March 1, 2004 Attorney Elaine Whitfield Sharp sent a copy of a letter addressed to Governor Mitt Romney to John Cronin via facsimile. The letter to the Governor was dated March 1 and referred to "Problems at the Office of the Chief Medical Examiner." Mr. Cronin informed me of the existence of this letter shortly after he received it.



On March 3, 2004 Attorney Elaine Whitfield Sharp sent a copy of a second letter addressed to Governor Mitt Romney to John Cronin via facsimile. The letter to the Governor was dated March 1 and referred to "Organ Procurement: Procedures of Concern." Mr. Cronin informed me of the existence of this letter shortly after he received it.

INTERROGATORY #10

Please state the date and the time when you first learned, read, heard, or were otherwise informed that Dr. Philip wrote to the Governor of the Commonwealth on March 2, 2004 regarding any matter pertaining to the OCME, stating the manner in which you first learned, read, or heard that such communication had taken place and the name of the person from whom you first received such information.

ANSWER #10

Please see Answer #9.

FURTHER ANSWER #10

To the best of my present knowledge, I did not learn of such a letter.

INTERROGATORY #11

Please state the date and the time when you first learned, read, heard, or were otherwise informed that Dr. Philip wrote to the Governor of the Commonwealth on March 3, 2004 regarding any matter pertaining to the OCME, stating the manner in which you first learned, read, or heard that such communication had taken place and the name of the person from whom you first received such information.

ANSWER #11

Please see my Answer #9.

FURTHER ANSWER #11

To the best of my present knowledge, I did not learn of such a letter.

INTERROGATORY #14

Please describe, to the best of your ability, each and every written or oral grievance, complaint, or negative comment you received about the Plaintiff from any person from calendar year 200 through the end of his employment at the OCME, stating (a) the substance of the complaint or comment, (b) who made the complaint or comment, (c) the date on which such comment was made, and (d) whether you memorialized or recorded the comment in any way, whether through writing, tape recording, or any other means.

ANSWER # 14

The Defendant objects to this interrogatory as it is overly broad.

FURTHER ANSWER #14

As indicated previously, the Defendant objects to the Interrogatory as overly broad, and states that to respond would be unduly burdensome to the Defendant. The OCME employs approximately 50 people, and at any given time, approximately 40 contractors. In addition, there are usually about ten new hires in a given year, and it would be extremely difficult to determine every complaint made against Dr. Philip over the cited period.

Notwithstanding nor waiving his objection, Dr. Evans states as follows: I am aware of an incident on March 3, 2004 in which Dr. Frank Evangelista made a written complaint to Jackie Faherty, counsel for the OCME, pursuant to the Workplace Violence Policy of the OCME. Dr. Evangelista expressed his concern, and that of others in the department, that Dr. Philip could be a danger. Specifically, he noted that others in the department were making comments such as, "He's the kind of guy that would bring a gun to work, and start firing." At or around the same time, Dr. Faryl Sanders also expressed concerns verbally with regard to Dr. Philip's behavior.

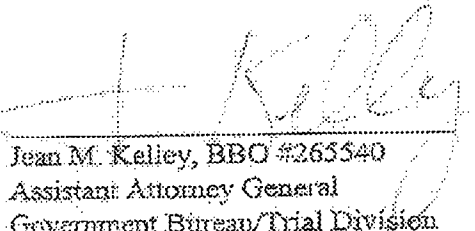
Please also see my Answers to Interrogatories No. 6 and 8.

Signed under the penalties of perjury this 18 day of May, 2005.



Dr. Richard Evans

AS TO OBJECTIONS:

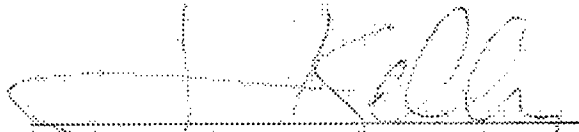


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CERTIFICATE OF SERVICE

I, Jean M. Kelley, hereby certify that I have this date, May 17 2005, served the foregoing Further Answers of Dr. Richard Evans MD to Plaintiff's Interrogatories and Certificate Of Service upon counsel of record by mailing first class, postage prepaid, to :

Elaine Whitfield Sharp, Esquire
Daniel S. Sharp, Esquire
WHITFIELD, SHARP & SHARP
196 Atlantic Avenue
Marblehead, MA 01945


Jean M. Kelley, Assistant Attorney General
Government Bureau/Trial Division